

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 15, 2023**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

VIRGINIA D.,<sup>1</sup>

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 2:23-cv-00169-LRS

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand, ECF No. 14. Based on the stipulation of the parties, the Court finds good cause to grant the motion.

Accordingly, pursuant to the stipulation, **IT IS HEREBY ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 14** is **GRANTED**.

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<sup>1</sup> The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

3. On remand, the Appeals Council will instruct the ALJ to:

- Reevaluate the medical opinion evidence;
- Reevaluate the residual functional capacity as necessary;
- If warranted, obtain supplemental vocational expert testimony to determine whether there are jobs that exist in significant numbers in the national economy that Plaintiff could perform with his residual functional capacity; and
- Offer Plaintiff the opportunity for a hearing, take further action to complete the administrative record resolving the above issues, and issue a new decision.

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

**DATED** November 15, 2023.



LONNY R. SUKO  
Senior United States District Judge